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03 UNITED STATES DISTRICT COURT
04 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

05 ROBERT JOHN PRESTON,) CASE NO. C08-0716-JCC
06) (CR00-034-JCC)
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Petitioner,
v.
UNITED STATES OF AMERICA,
Respondent.

11 The Court, having reviewed petitioner's § 2255 motion (Dkt. No. 1), the government's
12 response, the Report and Recommendation of the Honorable Mary Alice Theiler, United States
13 Magistrate Judge, any objections thereto, and the remaining record, does hereby ORDER:

- 14 (1) The Court adopts the Report and Recommendation;
15 (2) Petitioner's § 2255 motion (Dkt. No. 1) is DENIED and this action is
16 DISMISSED with prejudice; and,
17 (3) The Clerk is directed to send a copy of this Order to petitioner, to counsel for
18 respondent, and to Judge Theiler.
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20 DATED this 23rd day of September, 2008.
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John C. Coughenour
UNITED STATES DISTRICT JUDGE